

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**
LANCE R. BISHOP, SR.,

Plaintiff,

**9:21-cv-1027
(GLS/DJS)**

v.

SERGEANT PATRICK STOTLER

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Lance R. Bishop, Sr.

Pro Se

09-B-1765

Elmira Correctional Facility

P.O. Box 500

Elmira, NY 14902

FOR THE DEFENDANT:

HON. LETITIA JAMES

New York State Attorney General

The Capitol

Albany, NY 12224

MATTHEW GALLAGHER

Assistant Attorney General

Gary L. Sharpe

Senior District Judge

ORDER

The above-captioned matter comes to this court following a Report-Recommendation and Order (R&R) by Magistrate Judge Daniel J. Stewart, duly filed January 19, 2023. (Dkt. No. 29.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the R&R for clear error, it is hereby

ORDERED that the Report-Recommendation and Order (Dkt. No. 29) is **ADOPTED** in its entirety; and it is further

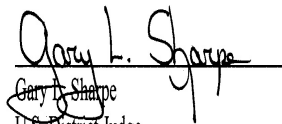
ORDERED that defendant's motion for summary judgment (Dkt. No. 20) is **DENIED**; and it is further

ORDERED that the case is now deemed trial ready and a trial order will be issued in due course; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

February 9, 2023
Albany, New York


Gary L. Sharpe
U.S. District Judge